

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

COURTNEY LINDE, et al.,
Plaintiffs,
-against-
ARAB BANK, PLC,
Defendant.

X
)
)
)
) CV-04-2799 (NG) (VVP)
)
)

PHILIP LITTLE, et al.,
Plaintiffs,
-against-
ARAB BANK, PLC,
Defendant.

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)
) CV-04-5499 (NG) (VVP)
)
)

ORAN ALMOG, et al.,
Plaintiffs,
-against-
ARAB BANK, PLC,
Defendant.

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)
) CV-04-5564 (NG) (VVP)
)
)

ROBERT L. COULTER, SR., FOR THE
ESTATE OF JANIS RUTH
COULTER, et al.
Plaintiffs,
-against-
ARAB BANK, PLC,
Defendant.

X
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)
) CV-05-365 (NG) (VVP)
)
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DEPOSITION OF MATTHEW LEVITT
New York, New York
June 16, 2011

Reported by:
Judi Johnson, RPR, CRR, CLR
Job No.: 39410

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 2 - - - - -X
 GILA AFRIAT-KURTZER, et al,)
 3 Plaintiffs,)
 -against-)
 4)CV-04-388(NG)(VVP)
 ARAB BANK, PLC,)
 5 Defendant.)
 - - - - -X
 6 MICHAEL BENNETT, et al.,)
 Plaintiffs,)
 7 -against-)
)CV-05-3183(NG)(VVP)
 8 ARAB BANK, PLC,)
 Defendant.)
 9 - - - - -X
 10 ARNOLD ROTH, et al.,)
 Plaintiffs,)
 -against-)
 11)CV-05-3738(NG)(VVP)
 ARAB BANK, PLC,)
 12 Defendant.)
 - - - - -X
 13 STEWART WEISS AND)
 SUSAN WEISS et al.,)
 14 Plaintiffs,)
 -against-)
 15)CV-06-1623(NG)(VVP)
 ARAB BANK, PLC,)
 16 Defendant.)
 - - - - -X
 17 JOSEPH JESNER, et al.,)
 Plaintiffs,)
 18 -against-)
)CV-06-3869(NG)(VVP)
 19 ARAB BANK, PLC,)
 Defendant.)
 20 - - - - -X
 21
 22
 23
 24
 25

MATTHEW LEVITT

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YAFFA LEV, et al.,)
Plaintiffs,)
-against-)
)CV-08-0325(NG)(VVP)
ARAB BANK, PLC,)
Defendant.)
-----X
VIKTORIA AGURENKO, et al.,)
Plaintiffs,)
-against-)
)CV 1000626(NG)(VVP)
ARAB BANK, PLC,)
Defendant.)

-----X

1 MATTHEW LEVITT

2 contacting the office of public affairs at the
3 FBI. I can't imagine that finding out if it's
4 been declassified is complicated.

5 Q Finding out if these exhibits to a
6 memorandum written by Mr. Watson 10 years ago
7 were declassified or not?

8 A Exactly. This is, as you well know,
9 quite a famous memorandum now. There haven't
10 been many such memoranda declassified, let alone
11 this topic, and I imagine that it would not be
12 difficult. I don't know if you've tried. But
13 simply contact the office of public affairs and
14 find out if it's been declassified, separate and
15 apart from the ability, though it can often take
16 time, I know as an academic, to submit a freedom
17 of information request.

18 Q Take a look at the first page of
19 Levitt Exhibit 2, if you would, sir.

20 A Levitt Exhibit 2.

21 Q Which is the Watson report.

22 A Yes.

23 Q At the very top of the page, the words
24 "by liaison" appear.

25 Do you see those?

1 MATTHEW LEVITT

2 A I do.

3 Q What does that mean?

4 A I don't really know, but what I assume
5 is that it's talked about how it was delivered
6 and that it was probably carried over from the
7 FBI to the Treasury Department by hand in a
8 secure case -- we have these little -- cute
9 little lock bags -- and sent over that way.

10 Q There's some handwriting at the top
11 right, which appears to read "public 12/3-01."
12 Do you have any idea what that means?

13 A I assume that that's -- I don't know
14 if I have that notation on my copy. I assume
15 that is a notation of when it was made public.
16 That is not what a full declassification stamp
17 looks like. So I don't know if that means
18 that's when it was declassified or that's when
19 it was first made public. It was reported on in
20 the press, and I don't recall if it was
21 declassified first or if the reporting came out
22 first.

23 Q I mean, when you've seen declassified
24 documents, they typically have a stamp that says
25 "declassified" and a date, don't they?

1 MATTHEW LEVITT

2 A Often. The exception is when
3 documents leak out and then later become
4 declassified. By definition, you'll have all
5 kinds of copies out there. So the government --
6 U.S. government has now officially declassified
7 just this past week the Pentagon papers. So
8 most people who are going to be looking at the
9 Pentagon papers will not be looking at the copy
10 that has the stamp on it, because this has been
11 so out -- I don't think even my copy has the
12 declassification stamp on it.

13 Q Did this document leak out?

14 A I know that it was reported on by the
15 press, and I just said I don't know if it was
16 before it was officially declassified or not.

17 Q So it might have leaked?

18 A I can't say one way or the other, but
19 it's probably something that is easily looked
20 into. I left the FBI -- I left the FBI, I
21 think -- I think it was also November '01.

22 Q When you referred to this as, I
23 believe, quite a famous document, what did you
24 mean by that?

25 A Just that. I mean long before the